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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,712	04/26/2000	Pratish R. Desai	19223-000510	1620
22434	7590	06/23/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			WONG, ALLEN C	
			ART UNIT	PAPER NUMBER
			2613	6

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/559,712

Applicant(s)

DESAI, PRATISH R.

Examiner

Allen Wong

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 9/29/03 have been fully read and considered but they are not persuasive.

Regarding lines 15-18 on page 8 of applicant's remarks, applicant contends that Setogawa does not teach an apparatus or method for receiving a plurality of presentations of a video, displaying at least a portion of the presentations, and then permitting the user to select a desired presentation for display. The examiner respectfully disagrees. A DVD video player has the claimed components of the current invention, as stated below, Setogawa discloses an apparatus and method for receiving a plurality of presentations of a video (Setogawa's fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103, and that a DVD is a video that has a plurality of presentations, and that MPEG video decoder 115, MPEG audio decoder 116 and subpicture decoder 114 are included to aid the decoding and permitting the display of these presentations of a video, and see col.1, ln.20-23), displaying at least a portion of the presentations (see col.10, ln.55+ and fig.4 where Setogawa discloses the display of at least a portion of the presentations, and that by pressing buttons BTN#1, BTN#2, etc., one can see a display at least a portion of the presentations), and permitting the user to select a desired presentation for display (fig.12, Setogawa discloses a remote control 92 with buttons for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive user inputs and permitting the processing of the user's selected input of a point

in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user).

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Setogawa (6,469,718).

Regarding claim 1, Setogawa discloses a method of displaying a video, said method comprising:

receiving a datastream comprising information for a plurality of presentations of said video (fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103, where a DVD is a video that has a plurality of presentations, and that MPEG video decoder 115, MPEG audio decoder 116 and subpicture decoder 114 are included, and see col.1, ln.20-23);

displaying a first presentation of a segment from said video in normal playback on a display (see fig.4 and note in normal video playback, the display of a first presentation of a segment on menu P1 with button command BTN#1 instructing the display of a replay of chapter 1 of the video);

displaying at least a portion of a second presentation of said segment from said video on said display while displaying said first presentation (fig.4, Setogawa discloses the display of a portion of a second presentation of said segment on menu P1 with button command shifting to BTN#2 for instructing the display of a replay of chapter 2 of the video); and

permitting a user to select a desired presentation for displaying on said display (fig.12, Setogawa discloses a remote control 92 with buttons for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive user inputs and permitting the processing of the user's selected input of a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user).

Note claims 10, 11 and 22 have similar corresponding elements.

Regarding claims 2-5, 8-9, 12-16, 18-21 and 23-28, Setogawa discloses the display of the plurality of presentations for the user to choose for viewing into a presentable graphical format on display (fig.13 the user can input the desired selection of the chapter or presentation at a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user; and see col.6, ln.32+).

Regarding claim 6, Setogawa discloses the decoding of MPEG datastream (Setogawa's fig.13 is a DVD player configuration, where the MPEG video decoder 115, MPEG audio decoder 116 and subpicture decoder 114; and col.1, ln.20-23).

Regarding claim 7, Setogawa discloses the display of interleaved angles for the video program (col.6, ln.10-24).

Regarding claim 17, Setogawa discloses the video objects are interleaved as blocks (fig.8-10).

### ***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Allen Wong  
Examiner  
Art Unit 2613

AW  
12/8/03

  
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